

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): Charles E. Taylor

Appln. No.: Unassigned

Confirm. No.:

Filed: Herewith

Title: CD RACK WITH HUB TO ENGAGE CENTER
OPENING OF CD

PATENT APPLICATION

Art Unit: 3634

Examiner:

Customer No. 23910

CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 C.F.R. §1.10

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(Signature)

Name: Tina M. Galdos

Signature Date: Oct. 15, 2003

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.56**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

Enclosed with this statement are the following:

- ☒ Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ☒ The present application is being/was filed after June 30, 2003. In accordance with the pre-official gazette waiver of 37 CFR 1.98 (a)(2)(i) posted at: pac/dapp/opla/preognotice/ids-wouscopies.htm,

copies of cited U.S. patents are not enclosed. However, copies of cited foreign patent documents and non-patent literature are enclosed in accordance with 37 CFR 1.98(a)(2), as still required.

- The present application was filed prior to June 30, 2003. A copy of each cited document as required by 37 C.F.R. §1.98 is enclosed.
- The present application was filed prior to June 30, 2003; however, each item of information contained in the *Information Disclosure Statement* was previously submitted by the applicant in a parent application from which benefit under 35 U.S.C. §120 is claimed, 37 C.F.R. §1.98(d)(1), with an *Information Disclosure Statement* submitted in the parent application which complies with the September 8, 2000 or subsequent revision of 37 C.F.R. §1.98(a-c), and, therefore, copies of the cited documents are not enclosed. If any of the cited/submitted documents is in a foreign language, a concise explanation of relevance is provided pursuant to 37 C.F.R. §1.98(a)(3)(i). For foreign language documents cited in a search report by a foreign patent office, the requirement for a concise explanation of relevance is satisfied by the submission herewith of an English language version of the search report. MPEP §609A(3). If a written English-language translation of a non-English language document, or portion thereof, is within the possession, custody or control of, or is readily available to any individual designated in §1.56(c), a copy of the translation accompanies this statement, 37 C.F.R. §1.98(a)(3)(ii), and satisfies the requirement for a concise explanation of relevance, MPEP §609A(3).
- ***PTA Statement under 37 C.F.R. §1.704(d).*** Each item of information contained in the *Information Disclosure Statement* was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the *Information Disclosure Statement*.

This statement should be considered because:

- ✓ **37 C.F.R. §1.97(b).** This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:
 - (1) It is being filed within three months of the filing date of an application other than a continued prosecution application under § 1.53(d);
-- OR --
 - (2) It is being filed within 3 months of entry of a national stage;
-- OR --
 - (3) It is being filed before the mailing date of the first Office Action on the merits,
-- OR --
 - (4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.
- **37 C.F.R. §1.97(c).** Although it may not qualify under subsection (b), this statement qualifies under 37 C.F.R. §1.97, subsection (c) because:
 - (1) It is being filed before the mailing date of a FINAL Office Action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first.

-- AND (check at least one of the following) --

___ (1) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e).

-- OR --

___ (2) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

___ **37 C.F.R. §1.97(d).** Although it may not qualify under subsection (b) or (c), this statement qualifies under 37 C.F.R. §1.97, subsection (d) because:

(1) It is being filed on or before payment of the Issue Fee;

-- AND --

(2) It is accompanied by a STATEMENT as set forth in 37 C.F.R. §1.97(e);

-- AND --

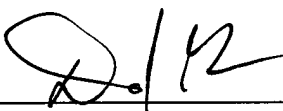
(3) It is accompanied by the \$180 fee set forth in 37 C.F.R. §1.17(p).

✓ **Fee Authorization.** The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

FLIESLER DUBB MEYER & LOVEJOY LLP

Date: 10/15/2003

By: 
Daniel J. Burns
Reg. No. 50,222

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Form PTO-1449 (Substitute)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Attorney Docket Number SHPR-01048USH		Serial/Patent Number Unassigned	
Information Disclosure Statement BY APPLICANT <i>(Use several sheets if necessary)</i>				Applicant/Patent Owner Charles E. Taylor			
				Filing/Issue Date Herewith		Group Art Unit 3634	
U.S. PATENTS							
Examiner Initial		Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
	1	887,828	May 19, 1908	Copland et al.			
U.S. PATENT PUBLICATIONS							
Examiner Initial		Patent Application Publication Number	Publication Date	Applicant			
PENDING U.S. PATENT APPLICATIONS							
FOREIGN PATENT DOCUMENTS							
Examiner Initial		Document Number	Publication Date	Country	Class	Subclass	Trans- lation Yes No
OTHER DOCUMENTS (Include author (if any), title, publisher and place of publication, date and pertinent pages)							
Examiner				Date Considered			
<p>*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>							
<p>*1 = Copy not submitted because it was submitted in prior application SN __/____, filed _____, 20__, relied on under 35 USC §120.</p> <p>*2 = Copy not submitted because it was submitted in prior application SN __/____, filed _____, 20__, relied on under 35 USC §120.</p>							

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U.S. PATENTS							
Examine r Initial		Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
	1	579,076	Mar. 16, 1897	Placier et al.			
	2	2,969,867	Jan. 31, 1961	McClelland			
	3	5,672,512	Sept. 30, 1997	Shaw			
	4	2,868,708	Jan. 20, 1959	Nesseth			
	5	3,722,743	Mar. 27, 1973	Atchley			
	6	3,937,316	Feb. 10, 1976	Gerhardt			
	7	5,255,733	Oct. 26, 1993	Pollock			
	8	887,282	May 12, 1908	Smith			
	9	5,314,242	May 24, 1994	Ludlow			
	10	5,711,431	Jan. 27, 1998	Reichert			
	11	3,141,123	Jul. 14, 1964	Olson			
	12	4,940,142	Jul. 10, 1990	Behrens et al.			
	13	3,720,451	Mar. 13, 1973	Anders			
	14	4,026,617	May 31, 1977	Bosio et al.			
	15	553,109	Jan. 14, 1896	Davison			
	16	3,428,384	Feb. 18, 1969	Goldammer			
	17	2,819,801	Jan. 14, 1958	Winkler			
	18	5,845,790	Dec. 08, 1998	Smith			
	19	5,349,331	Sept. 20, 1994	Sieber et al.			
	20	1,013,015	Dec. 26, 1911	Herman			
	21	2,912,118	Nov. 10, 1959	Behrens et al.			
	22	RE25919	Nov. 30, 1965	Anders			

U.S. PATENTS							
Examine r Initial		Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
	23	718,752	Jan. 20, 1903	Findley			
	24	5,201,414	Apr. 13, 1993	Kaszubinski			
	25	5,464,091	Nov. 07, 1995	Callahan et al.			
	26	5,651,202	Jul. 29, 1997	Hewitt			
	27	5,518,112	May 12, 1996	Ono et al.			
	28	5,715,937	Feb. 10, 1998	Oshry et al.			
	29	Des.353,322	Dec. 12, 1994	Oshry et al.			
	30	5,160,050	Nov. 03, 1992	Russo			
	31	5,765,695	Jun. 16, 1998	Picciallo			
	32	5,293,992	Mar. 15, 1994	Warner			
	33	4,884,691	Dec. 05, 1989	Behrens et al.			
	34	1,008,823	Nov. 14, 1911	Hill			
	35	5,881,872	Mar. 16, 1999	Frick			
	36	5,520,279	May 28, 1996	Lin			
	37	5,823,332	Oct. 20, 1998	Clausen			
	38	5,697,498	Dec. 16, 1997	Weisburn et al.			
	39	5,699,905	Dec. 23, 1997	Hara			
	40	5,727,681	Mar. 17, 1998	Li			
	41	5,730,283	Mar. 24, 1998	Lax			
	42	5,775,491	Jul. 07, 1998	Taniyama			
	43	5,848,688	Dec. 15, 1998	Paloheimo			
	44	4,844,260	Jul. 04, 1989	Jaw			
	45	5,833,062	Nov. 10, 1998	Yeh			
	46	3,786,927	Jan. 22, 1974	Manheim			
	47	5,103,986	Apr. 14, 1992	Marlowe			
	48	5,242,060	Sep. 07, 1993	Chiang et al.			
	49	5,283,603	Feb. 01, 1994	Kronbauer et al.			

U.S. PATENTS							
Examine r Initial		Patent Number	Issue Date	First Named Inventor	Class	Subclass	Filing Date
	50	5,154,301	Oct. 13, 1992	Kos			
	51	6,202,861 B1	Mar. 20, 2001	Mah			
	52	6,215,264 B1	Apr. 10, 2001	Ma			
	53	6,464,088 B1	Oct. 15, 2002	Caplan et al.			
	54	6,520,347 B2	Feb. 18, 2003	Caplan et al.			
	55	1,995,273	Mar. 19, 1935	Dohrwardt			
U.S. PATENT PUBLICATIONS							
Examine r Initial		Patent Application Publication Number	Publication Date	Applicant			
	56	US 2002/0190013 A1	Dec. 19, 2002	Caplan et al.			
	57	US 2002/0190014 A1	Dec. 19, 2002	Taylor			
	58	US 2003/0042216 A1	Mar. 6, 2003	Taylor et al.			
	59	US 2003/0047525 A1	Mar. 13, 2003	Taylor et al.			
	60	US 2003/0047526 A1	Mar. 13, 2003	Taylor et al.			
PENDING U.S. PATENT APPLICATIONS							
Examine r Initial		Application Number	Filing Date	First Named Inventor	Petition to Expunge? Yes No		
	61	09/625,228	Jul. 24, 2000	Caplan et al.			
	62	10/354,380	Jan. 30, 2003	Taylor et al.			
	63	10/354,558	Jan. 30, 2003	Taylor et al.			
FOREIGN PATENT DOCUMENTS							
Examiner Initial		Document Number	Publication Date	Country	Class	Subclass	Trans- lation Yes No
	64	DE 9313107	Dec. 16, 1993	Germany			X
	65	DE 9412562	Nov. 24, 1994	Germany			X
	66	DE 9408242	Sept. 29, 1994	Germany			X

FOREIGN PATENT DOCUMENTS								
Examiner Initial		Document Number	Publication Date	Country	Class	Subclass	Trans- lation	
							Yes	No
	67	DE 9206594	Sept. 10, 1992	Germany				X
	68	DE 19602585 A1	Jul. 31, 1997	Germany			Abstract	
	69	DE 19509911 A1	Sept. 28, 1995	Germany			Abstract	
OTHER DOCUMENTS (Include author (if any), title, publisher and place of publication, date and pertinent pages)								
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